IN THE HIGH COURT OF BOMBAY AT GOA

COMPANY APPLICATION NO. 98 OF 2001

OFFICIAL LIQUIDATOR, HIGH COURT OF BOMBAY, PANAJI ... Applicant

Versus

LAWOO R. RAUT & ORS. ... Respondents

Ms. Amira Razaq, Advocate for the Applicant.
Mr. S. Vales, Advocate for the Ex-Directors.

Coram:- N. A. BRITTO, J.

Date:- 22nd June, 2007

P.C.:-

Heard Ms. Amira Razaq, the learned Counsel of the applicant. The respondents are duly served but have chosen to remain absent and not to contest the proceedings.

The claim of the applicant in the sum of Rs.6,643/- with interest at the rate of 20% as on 1-1-1999 arises out of a loan of Rs.5000/- given to respondent no.1 with respondent nos.2 and 3 standing as sureties, on 10-11-1977, by the Company in Liquidation.

In support of the claim, the applicant has filed an affidavit of Shri Vilas S. Hazare, the Senior Technical Assistant in the Office of the applicant and who has produced along with it, amongst other documents, the loan application signed by respondent no.1 as borrower and respondent nos.2 and 3 as sureties. He has also produced copy of the agreement for loan signed by respondent no.1 and a promissory note and declaration signed by all the respondents. A copy of the loan ledger has also been produced.

On the basis of the affidavit filed and the documents produced, the claim of the applicant is hereby decreed against the respondents jointly and severally for the recovery of a sum of Rs.6,643/- as on 1-1-1999 with pending interest at the rate of 20% and future interest at the rate of 6%,

with costs of Rs.5000/-.

N. A. BRITTO, J.

RD.